

**UNITED STATES DISTRICT COURT  
For The  
WESTERN DISTRICT OF PENNSYLVANIA**

**SCANNED**

**U.S.A. vs. Mark Alan Torgent**

**Docket No. 03-00255-001**

**Petition on Supervised Release**

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Mark Alan Torgent, who was placed on supervision by the Honorable Gary L. Lancaster sitting in the Court at Pittsburgh, Pennsylvania, on the 23<sup>rd</sup> day of January 2004, who fixed the period of supervision at three years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- Shall pay a special assessment of \$100.
- Shall pay a fine of \$6,000.
- Report in person to the probation office in the district to which the defendant is released within 72 hours of release from custody of the Bureau of Prisons.
- Shall not possess a firearm or destructive device.
- Shall not unlawfully possess a controlled substance.
- Shall register as a sex offender in any state which he may reside, is employed, carries on a vocation, or is a student.
- Notify the U.S. Attorney's Office within 30 days of any change of residence that occurs while any portion of the fine imposed remains outstanding.
- Shall pay not less than 10 percent of gross monthly income toward any outstanding fine balance.
- Shall provide the probation officer with any requested financial information.
- Shall not associate with children under the age of 18 unless in the presence of a responsible adult who is aware of his background and current offense, and approved by the probation officer.
- Shall not incur new credit charges or open additional lines of credit without the approval of the probation officer.
- Shall participate in a treatment program for sex offenders as directed.
- Shall not possess any materials, including pictures, photographs, books, writings, drawings, videos, or video games depicting and/or describing child pornography.
- Shall cooperate in the collection of DNA.
- The defendant shall use only those computer-related devices, screen user names, passwords, e-mail accounts and internet service providers, as approved by the probation officer. Computer and computer-related devices include, but are not limited to personal computers, personal data assistants, internet appliances, electronic games and cellular telephones, as well as their peripheral equipment that can access, or can be modified to access, the internet, electronic bulletin boards, and other computers, or similar media.

01-23-04:      Receipt of Materials Depicting the Sexual Exploitation of a Minor; 27 months' imprisonment with 3 years' supervised release.

03-08-06:      Released to supervision; Currently supervised by U.S. Probation Officer Wendy Brown.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:**

Your Petitioner reports that the Probation Office has obtained new software technology that will enhance supervision efforts and allow for closer monitoring of a defendant's use of computers, electronic communications, and data storage devices. This software can also prevent access to particular materials over the Internet.

PRAYING THAT THE COURT WILL ORDER the term of supervision be modified to include the following conditions:

The defendant shall not possess any materials, including pictures, photographs, books, writings drawings, videos, or video games depicting and/or describing child pornography as defined at 18 U.S.C. § 2256(8).

The defendant is prohibited from access to any "on-line" computer service at any location (including employment or education) without prior written approval of the U.S. Probation Office or the Court. This includes any Internet Service Provider, bulletin board system, or any other public or private computer network. Any approval shall be subject to conditions set by the U.S. Probation Office or the Court with respect to that approval.

The defendant shall consent to the installation of any hardware/software to monitor the defendant's computer and other electronic communication or data storage devices or to prevent access to particular materials. The defendant shall consent to periodic inspection of any such hardware/software to ensure it is functioning properly. The defendant shall pay the monitoring costs as directed by the probation officer.

The defendant shall provide the U.S. Probation Office with accurate information about his entire computer system (hardware/software) and other electronic communication or data storage devices or media to include all passwords used and the name of the Internet Service Provider(s). The defendant will also abide by all rules of the Computer Restriction and Monitoring Program.

The defendant shall submit his person, property, house, residence, vehicle, papers, effects, computers, and other electronic communication or data storage devices or media, to search at any time with or without a warrant by any law enforcement or probation officer based upon reasonable suspicion of contraband, evidence of a violation of a condition of release/supervision, or unlawful conduct by the defendant. Failure to submit to a search may be grounds for revocation. The defendant shall inform any other residents that the premises may be subject to a search pursuant to this condition.

I declare under penalty of perjury that the foregoing is true and correct.

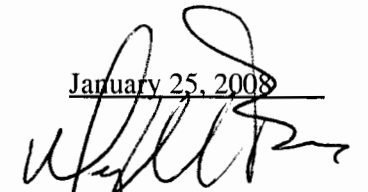
ORDER OF COURT

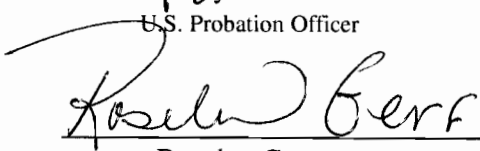
Considered and ordered this 7<sup>th</sup> day of Feb, 20 08 and ordered filed and made a part of the records in the above case.

  
U.S. District Judge

Executed  
on

January 25, 2008

  
Wendy M. Brown  
U.S. Probation Officer

  
Roselyn Gerson  
Supervising U.S. Probation Officer

Place: Pittsburgh, Pennsylvania